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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,023	07/28/2000	Shigeo Yamagata	35.C14654	2202
5514	7590	11/22/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHAM, THIERRY L	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/628,023

Applicant(s)

YAMAGATA ET AL.

Examiner

Thierry L Pham

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 9-14, 17-20, 24-28 and '31-48.Claim(s) withdrawn from consideration: 1-8, 15, 16, 21-23, 28-30 and 49-63.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). filed on 4/25/02.
10. ☐ Other: \_\_\_\_\_

  
GABRIEL GARCIA  
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: The arguments presented by the applicants are not persuasive.

- Regarding claims 9 & 17, the applicants argued the cited prior art does not teach "if the color image data is received from an image generating apparatus having forgery function, then control of image formation is performed in the image generating apparatus, wherein if the image data is received from an image generating apparatus not having a forgery judging function, image forming is performed in the apparatus that received the image data". The examiner notes that such limitations are not clearly cited in claim 9. For example, nowhere in claim 9 recites the limitations wherein if the image data is received from an image generating apparatus having a forgery judging function, then image formation takes place in the "received" apparatus. Yamaguchi explicitly teaches an image forming apparatus includes an image generating means for generating/reading prohibited and non-prohibited images and carry out specific forming operations based upon the results from judging means.

- Regarding claims 18 & 25, the applicants argued the cited prior art does not teach the input/output apparatuses perform judging of different specific images. Yamaguchi explicitly teaches an image forming apparatus for performing judging of different specific images (i.e. paper money, check, securities and etc, abstract and col. 2, lines 20-38).

- Regarding claims 33, 47-48, the applicants argued the prior art does not teach the image signal is "compressed" and stored as an image file. The examiner notes the applicants are arguing the limitations that are not previously cited in claims 33, 47-48. Nowhere in claims 33, 47-48 recites the limitations the image signal is "compressed" and stored as an image file.

- Regarding IDS filed on 4/25/02, PTO form 1449 with JP Pub. No. 07030748 has been considered by the examiner and attached with office action.